

IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. RAMESH RANGANATHAN

WRIT PETITION NO. 30155 OF 1997

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DATED : JUNE 14, 2007

Between:

P.Nageswara Rao and others

Petitioners

AND

A.P. State Co-Operative Rural Irrigation
Corporation Limited, Rep. By its Managing Director,
HACA Bhavan, Hyderabad and others

Respondents

THE HON'BLE MR. RAMESH RANGANATHAN

WRIT PETITION NO. 30155 OF 1997

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ORAL ORDER:

The action of the respondents 1 and 2 in placing
respondents 3 to 8 above the petitioners herein in the

seniority list, and in promoting them as Deputy Executive Engineers ignoring the claims of the petitioners, is questioned in this writ petition.

Smt. K. Sesharajyam, the learned counsel appearing for the petitioners does not dispute the fact that the petitioners herein are diploma holders whereas respondents 3 to 8 are degree holders in Engineering. While the petitioners herein are Assistant Engineers, the degree holders were converted as Assistant Executive Engineers and were considered for promotion to the post of Deputy Executive Engineer. This action of the respondents in giving preference to respondents 3 to 8, as they are degree holders, though they were juniors to the petitioners, is questioned in this writ petition.

As held in **The State of Jammu and Kashmir Vs. Triloki Nath Khosa and others**^[1] degree holders in Engineering constitute a distinct class and any promotion given to them on the basis of their educational qualifications, despite Diploma Holders being senior to them in the feeder channel, has been held to be valid. The action of the respondents in considering and promoting respondents 3 to 8 as Deputy Executive Engineers in preference to the petitioners, who are diploma holders,

cannot be faulted. The Writ Petition fails and is accordingly dismissed.

Justice Ramesh Ranganathan

June 14, 2007
MAS

[\[1\]](#) AIR 1974 S.C. 1